

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2163**

Approved

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OK to enter

In re the Application of

Lalit K. MESTHA et al.

Group Art Unit: 2163

Thanks

Application No.: 10/758,096

Examiner: W. LEE

W2

Filed: January 16, 2004

Docket No.: 116588

3-28-08

For: REFERENCE DATABASE AND METHOD FOR DETERMINING SPECTRA USING
MEASUREMENTS FROM AN LED COLOR SENSOR AND METHOD OF
GENERATING A REFERENCE DATABASE

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 31, 2007 Office Action, reconsideration in light of the following remarks is respectfully requested. Claims 1-6 and 15-18 are pending.

A. Applicants note with appreciation the allowance of claims 15-18, and the acknowledgement of allowable subject matter in claims 2-3.

B. The Office Action rejects claims 1 and 4-6 under 35 U.S.C. §103(a) over U.S. Patent No. 6,587,793 to Viassolo et al. (Viassolo) in view of "the terms definition cited in Microsoft Press Computer Dictionary." The Office Action notes that Viassolo is applied under 35 U.S.C. §102(e). However, as noted in Applicants' previous response, Viassolo and the claimed invention were commonly owned, or subject to an obligation of assignment to the